

Remarks

Claims 1-31 are pending in this application. Restriction has been required under 35 U.S.C. § 121 to one of the following groups of claims:

- Group I – claims 1-10, drawn to a material, and classified in class 502, subclass 64.
- Group II– claims 11-25, drawn to a method, and classified in class 502, subclass 64.
- Group III– claims 26-31, drawn to a process for treating hydrocarbons, classified in class 585, subclass 400.

Applicants herein provisionally elect claims 1-10 of Group I for further prosecution on the merits, with traverse.

Traverse

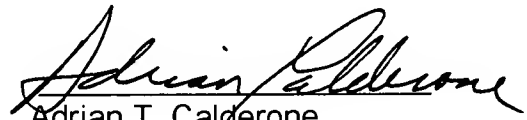
It is respectfully submitted that claims 11-25 of Group II should be examined on the merits concurrently with claims 1-10 of Group I. The Office Action states that in the instant case "... the material can be made by a different method of making such as combining the zeolite with another solvent different from water." However, there is no basis for making such an assertion. The specification is directed to suspending the zeolite in water, not another fluid. The functions of water are (1) zeolite suspension, (2) pH control and (3) hydrolysis. Applicants are not aware of any other liquid which can satisfactorily achieve these three functions simultaneously. Moreover, the examiner has not provided any evidence as to what other liquid would be appropriate. Accordingly, this statement is not supported by any evidence.

Furthermore, the claims of both Group I and Group II are classified in the same class and subclass. A proper search for the Group I claims would necessarily include

the Group II claims.

Pursuant to MPEP § 803 if the search and examination of an entire application can be made without serious burden the examiner must examine it upon the merits, even though it includes claims to independent or distinct inventors. MPEP § 803 further states that for purposes of the initial requirement, a serious burden on the examiner may be *prima facie* shown if the examiner shows by appropriate explanation of separate classification or separate status in the art, or a different field of search. It is respectfully submitted that none of these factors are present, as evidenced by the fact that both Group I and Group II claims are classified the same class and subclass. For at least these reasons it is respectfully requested the claims of both Group I (claims 1-10) and Group II (claims 11-25) be examined on the merits.

Respectfully submitted,


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